



LODI CITY COUNCIL
Carnegie Forum
305 West Pine Street, Lodi

AGENDA - REGULAR MEETING

Date: November 20, 2002
Time: Closed Session 5:45 p.m.
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

Susan J. Blackston
City Clerk
Telephone: (209) 333-6702

ALL STAFF REPORTS OR OTHER WRITTEN DOCUMENTATION RELATING TO EACH ITEM OF BUSINESS REFERRED TO ON THE AGENDA ARE ON FILE IN THE OFFICE OF THE CITY CLERK AND ARE AVAILABLE FOR PUBLIC INSPECTION

C-1 Call to Order / Roll Call

C-2 Announcement of Closed Session

- a) Actual litigation: Government Code §54956.9(a); one case; Leveille vs. City of Lodi et al., U.S. District Court, Eastern District, Case No. CIV S-00-1729 DFL DAD
- b) Actual litigation: Government Code §54956.9(a); one case; Citizens for a Quiet Kofu Park vs. City of Lodi, San Joaquin County Superior Court Case No. CV 014871
- c) Actual litigation: Government Code §54956.9(a); one case; City of Lodi vs. Williams-Anderson, et al., San Joaquin Superior Court Case No. CV 426433

C-3 Adjourn to Closed Session

NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.

C-4 Return to Open Session / Disclosure of Action

A. Call to Order / Roll call

B. Invocation – Pastor LeRoy Olson, Bear Creek Community Church

C. Pledge of Allegiance

D. Presentations

D-1 Awards – None

D-2 Proclamations – None

D-3 Presentations

- a) Presentation of Certificate of Recognition to Boy Scout Cameron John Heberle in recognition of his obtaining the rank of Eagle Scout
- b) Presentation by the Greater Lodi Area Youth Commission regarding Honoring Teens Program (COM)
- c) Presentation regarding the Lodi Adopt-A-Child Christmas program (CLK)
- d) Update on the activities and accomplishments of the Lodi Parks and Recreation Commission (PR)

E. Consent Calendar (Reading; comments by the public; Council action)

E-1 Receive Register of Claims dated November 6, 2002 in the amount of \$4,856,868.31 (FIN)

E-2 Approve minutes (CLK)

- a) November 6, 2002 (Regular Meeting)

E-3 Accept scoreboard donation from Boosters of Boys and Girls Sports (BOBS) (PR)

- Res. **E-4** Adopt resolution accepting donation of seven antique phonographs from the Stanley Kirst Family (CM)
- Res. E-5 Adopt resolution awarding the contract for the Lawrence Park Playground Improvements, 350 N. Washington Street (\$106,401.85), to A.M. Stephens Construction Company, of Lodi, and appropriate \$143,064 for the entire project (PR)
- Res. E-6 Adopt resolution implementing the City of Lodi's Best Available Control Measures for Particulate Matter (dust) in accordance with the San Joaquin Valley Air Pollution Control District's proposed regulations (PW)
- Res. E-7 Adopt resolution authorizing the City Manager to execute lease amendment for Lodi Station North Annex with Cheryl Lafebre, dba Lodi Greyhound and Western Union (PW)
- Res. E-8 Adopt resolution authorizing the City Manager to enter into a professional services agreement with RBF Consulting for the preparation of an Environmental Impact Report to analyze impacts associated with a proposed commercial center at the northwest corner of Lower Sacramento Road and Kettleman Lane (CD)
- Res. E-9 Adopt resolution authorizing the City Manager to terminate the City of Alameda Power Exchange Agreement (EUD)
- Res. E-10 Adopt resolution authorizing the City Manager to provide funding in the amount of \$30,000 to extend the Public Benefits Program Grant Lodi Small Business Energy Services Partnership (EUD)
- Res. E-11 Adopt resolution authorizing the City Manager to provide funding in the amount of \$75,000 to extend the Public Benefits Program Grant Lodi Air Duct Testing and Attic Insulation Rebate Program (EUD)
- Res. E-12 Adopt resolution authorizing the City Manager to provide funding in the amount of \$70,000 to extend the Public Benefits Program Grant Lodi Appliance Rebate Program (EUD)
- Res. E-13 Adopt resolution authorizing the City Manager to provide funding in the amount of \$25,000 to extend the Public Benefits Program Grant Lodi Energy Efficient Window and Shade Screen Program (EUD)
- Res. E-14 Adopt resolution approving Year 2002 Amendments to Conflict of Interest Code (Government Code §87306.5) (CA)
- Ord. E-15 Introduce ordinance amending Title 9, Chapter 9.04, Offenses Against Public Decency, by adding Section 9.04.030 prohibiting public urination (PD/CA)
(Introduce)

F. Comments by the public on non-agenda items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

G. Public Hearings

- G-1 Public hearing to consider unmet transit needs in Lodi (PW)
- Res. G-2 Public hearing to consider the reallocation of Community Development Block Grant/HOME funds in the amount of \$65,363 to the Housing Authority of San Joaquin County (CD)

H. Communications

- H-1 Claims filed against the City of Lodi – None
- H-2 Reports: Boards/Commissions/Task Forces/Committees – None
- H-3 Appointments
 - a) Appointments to the East Side Improvement Committee and the Lodi Arts Commission (CLK)
 - b) Post for expiring terms on the Lodi Senior Citizens Commission and the Parks and Recreation Commission (CLK)
- H-4 Miscellaneous
 - a) Monthly Protocol Account Report (CLK)

I. Regular Calendar

- Res. I-1 Adopt resolution designating the rose as the official flower of the City of Lodi (CM)
- Res. I-2 Accept Supplement A to the City of Lodi's Bicycle Transportation Master Plan to reflect completed work to date and adopt resolution approving the submittal of a grant proposal from the City of Lodi for the California Department of Transportation's Bicycle Transportation Account Grant (PW)
- Res. I-3 Authorize the City Manager to execute short-term funding agreements for the construction of the Harney Lane Lift Station and adopt resolution extending the deadline for final map approval and retention of prior development impact mitigation fees and payment procedures for the Century Meadows One, Two, and Three residential subdivision projects (PW)
 - I-4 Review schematic design for Aquatics Facility project and authorize proceeding with construction documents phase (PR)
- Res. I-5 Receive Downtown Lodi Business Partnership 2002/03 Annual Report, adopt resolution of intent to levy annual assessment, and set public hearing for December 18, 2002 confirming the report and intent to levy annual assessment (CM)
 - I-6 Authorize funds from the Protocol Account and direct the City Clerk to coordinate the City Council reorganization reception to follow the December 4, 2002 Council Meeting (approx. \$1,300) and the annual City Employee Appreciation/Christmas Reception (approx. \$1,700) (CLK)
 - I-7 Hearing to consider the appeal of DC Builders to overturn the decision of the City Manager regarding the award of bid for the Henning Substation Block Wall and Gate Project (CA)

J. Ordinances

- Ord. (Adopt) J-1 Ordinance No. 1719 entitled, "An Ordinance Adopting The '2001 California Building Code,' Volumes 1, 2, And 3, Which Code Regulates The Design, Construction, Quality Of Materials, Use And Occupancy, Location, And Maintenance Of Buildings Or Structures In The City Of Lodi, Providing For The Issuance Of Permits And Collection Of Fees Therefore; Providing Penalties For The Violations Thereof; Repealing And Re-Enacting Sections 15.04.010, 15.04.020, 15.04.030, 15.04.040, 15.04.050, 15.04.055, 15.04.060, 15.04.070, 15.04.080, And 15.04.090 Inclusive Of The Code Of The City Of Lodi, And All Other Ordinances And Parts Of Ordinances In Conflict Therewith" (CLK)
- Ord. (Adopt) J-2 Ordinance No. 1720 entitled, "An Ordinance Adopting The '2001 California Plumbing Code' Providing For The Establishing Of Minimum Regulations For The Installation, Alteration, Or Repair Of Plumbing And Drainage Systems And The Inspection Thereof; Providing Penalties For The Violations Thereof; And Repealing And Re-Enacting Sections 15.02.010 Through 15.12.050 Inclusive Of The Code Of The City Of Lodi, And All Other Ordinances And Parts Of Ordinances In Conflict Therewith" (CLK)
- Ord. (Adopt) J-3 Ordinance No. 1721 entitled, "An Ordinance Adopting The '2001 California Mechanical Code,' Which Code Provides Regulations Controlling The Design, Construction, Installation, Quality Of Materials, Location, Operation, And Maintenance Of Heating, Ventilating, Comfort Cooling, Refrigeration Systems, Incinerators And Other Heat Producing Appliances In The City Of Lodi, Providing For The Issuance Of Permits And Collection Of Fees Therefore; Providing Penalties For The Violations Thereof; And Repealing And Re-Enacting Sections 15.08.010, 15.08.020,

- Ord. J-4 (Adopt) Ordinance No. 1722 entitled, "An Ordinance Adopting The '2001 California Electrical Code,' Which Code Regulates The Installation, Alteration, Or Addition Of Electrical Wiring, Devices, Appliances, Or Equipment In The City Of Lodi; And Repealing And Re-Enacting Sections 15.16.010 Through 15.16.050 Of The Codes Of The City Of Lodi, And All Other Ordinances And Parts Of Ordinances In Conflict Therewith" (CLK)
- Ord. J-5 (Adopt) Ordinance No. 1723 entitled, "An Ordinance Adopting That Portion Of The State Building Standards Code That Imposes Substantially The Same Requirements As Are Contained In The Uniform Fire Code, 2000 Edition Published By The Western Fire Chiefs Association And The California Building Standards Commission With Errata, Together With Those Portions Of The 'Uniform Fire Code 2000 Edition,' And The Appendixes I-A, I-C, II-A, II-B, II-C, II-D, II-E, III-A, III-B, III-C, III-D, IV-A, IV-B, V-A, VI-A, VI-B, VI-C, VI-D, VI-G, VI-H, VI-I, VI-J, VI-K, The Uniform Fire Code Standards, '1997 Edition' As Amended By The 'Uniform Fire Code Standards, 2000 Edition,' Published By The Western Fire Chiefs Association, Not Included In The State Building Standards Code, As Modified And Amended By This Chapter, Are Adopted By This Reference Into This Chapter, And Are Hereby Collectively Declared To Be The City Of Lodi Fire Code Thereto, Which Code Provides Regulations Governing The Conditions Hazardous To Life And Property From Fire Or Explosion; Repealing And Reenacting Sections 15.20.010 Through 15.20.370 Inclusive Of The Code Of The City Of Lodi And All Other Ordinances And Parts Of Ordinances In Conflict Therewith" (CLK)
- Ord. J-6 (Adopt) Ordinance No. 1724 entitled, "An Ordinance Of The Lodi City Council Amending The Official District Map Of The City Of Lodi And Thereby Prezoning The Parcels Located At 1243, 1301, 1335, And 1477 East Harney Lane (APN 058-230-14, 13, 22, And 21) From San Joaquin County AU-20 To R-2, Single Family Residential" (CLK)
- Ord. J-7 (Adopt) Ordinance No. 1725 entitled, "An Ordinance Of The Lodi City Council Amending The Official District Map Of The City Of Lodi And Thereby Prezoning The Parcel Located At 13814 Lower Sacramento Road (APN 058-230-03) From R-VL (County), Residential Very Low Density To R-LD, Residential Low Density; And Further Prezoning A Four-Acre Portion Of 302 East Highway 12 (APN 058-030-07) From AU-20 (County), Agriculture-Urban Reserve To PUB, Public" (CLK)

K. Comments by the City Council Members on non-agenda items

L. Comments by the City Manager on non-agenda items

M. Adjournment

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.


Susan J. Blackston
City Clerk